

House Study Bill 703 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON KAUFMANN)

A BILL FOR

1 An Act relating to city civil service commissions.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 400.1, subsection 1, Code 2022, is
2 amended to read as follows:

3 1. In cities having a population of eight thousand or over
4 and having a paid fire department or a paid police department,
5 the mayor, one year after a regular city election, with the
6 approval of the council, ~~shall~~ may appoint three civil service
7 commissioners. The mayor shall publish notice of the names
8 of persons selected for appointment no less than thirty days
9 prior to a vote by the city council. Commissioners shall hold
10 office, one until the first Monday in April of the second year,
11 one until the first Monday in April of the third year, and one
12 until the first Monday in April of the fourth year after such
13 appointment, whose successors shall be appointed for a term of
14 four years. In cities having a population of more than seventy
15 thousand, the city council may establish, by ordinance, the
16 number of civil service commissioners at not less than three.

17 Sec. 2. Section 400.3, subsection 2, Code 2022, is amended
18 to read as follows:

19 2. If the mayor or city council appoints a commission
20 under section 400.1 or this section, the city council may, by
21 ordinance, abolish the commission, and the commission shall
22 stand abolished sixty days from the date of the ordinance and
23 the powers and duties of the commission shall revert to the
24 city council except whenever a city having a population of less
25 than eight thousand provides for the appointment of a civil
26 service commission, the city council may by ordinance abolish
27 such office, but the ordinance shall not take effect until
28 the ordinance has been submitted to the voters at a regular
29 city election and approved by a majority of the voters at such
30 election. The ordinance shall be published once each week
31 for two consecutive weeks preceding the date of the election
32 in a newspaper published in and having a general circulation
33 in the city. If a newspaper is not published in such city,
34 publication may be made in any newspaper having general
35 circulation in the county.

1 more than three members. In cities having a population of
2 more than 75,000, the commission shall appoint a clerk of the
3 commission. For a city having a population of less than 8,000,
4 the city council may appoint a civil service commission or act
5 as the civil service commission. Current law provides for the
6 abolition of a civil service commission when such commission is
7 first appointed by the city council. The provisions of Code
8 chapter 400 generally apply to full-time police officers and
9 fire fighters in cities having a population of more than 8,000,
10 and to all appointive permanent full-time employees in cities
11 having a population of more than 15,000.

12 The bill authorizes rather than requires a city with a
13 population of at least 8,000 and with a paid police department
14 or a paid fire department to establish a civil service
15 commission. The bill authorizes rather than requires a civil
16 service commission in a city having a population of more
17 than 75,000 to appoint a clerk of the commission. The bill
18 authorizes a city council to abolish a civil service commission
19 regardless of whether the mayor or the city council appointed
20 the commission. The bill provides that when a city abolishes
21 the civil service commission, Code chapter 400 does not apply
22 to permanent full-time police officers and fire fighters if
23 the city has a population of more than 8,000 or to appointive
24 permanent full-time employees if the city has a population of
25 more than 15,000.